



**PUBLIC NOTICE  
WILLIAMSBURG BOARD OF ZONING APPEALS**

The Williamsburg Board of Zoning Appeals will hold a public hearing on Tuesday, February 2, 2016, 4:00 P.M. in Conference Room 3A, Third Floor, Williamsburg Municipal Building, 401 Lafayette Street, to consider the following:

**BZA #16-001:** Request of William and Addie Carr for a variance from Section 21-167(3) of the Zoning Ordinance in order to construct an addition that is 24 feet from the rear property line instead of the required 25 feet. The total encroachment into the rear yard setback is 2.75 square feet. The property is located at 316 Indian Springs Road, Williamsburg Tax Map Number 524-18-00-001 and is zoned Single-Family Dwelling District RS-2.

Additional information is available at <http://www.williamsburgva.gov/bzameetings>; at the Planning Department [(757) 220-6130], 401 Lafayette Street, or at the Williamsburg Regional Library during regular working hours. Interested citizens are invited to attend this hearing and present their comments to the Board.

If you are disabled and need accommodations in order to participate in the public hearing, please call the Planning Department at (757) 220-6130, (TDD) 220-6108, no later than 12:00 noon, Tuesday, January 26, 2016.

The Board will view the site as a group starting at 3:00 P.M. on February 2, 2016 at 316 Indian Springs Road (BZA #16-001).

Rodney S. Rhodes, CZA  
Zoning Administrator

# **BZA CASE(S)**



**BOARD OF ZONING APPEALS  
WILLIAMSBURG PLANNING DEPARTMENT  
401 LAFAYETTE STREET  
WILLIAMSBURG, VIRGINIA 23185-3617  
(757) 220-6130 FAX (757) 259-8050**

BZA# 16-001  
DATE 1-11-16

OWNER(S): William H. and Addie L. Carr  
ADDRESS: 316 Indian Springs Road, Williamsburg, VA 23185  
PHONE/FAX NUMBER/E-MAIL: 757.229.4402 / bcarr3@cox.net  
APPLICANT/REPRESENTATIVE: Same  
ADDRESS: \_\_\_\_\_  
PHONE/FAX NUMBERS/E-MAIL: \_\_\_\_\_  
LOCATION OF THE REQUEST: 316 Indian Springs Road

ATTACH PLAT OR DETAILED DRAWING OF PROPERTY SHOWING EXISTING STRUCTURES, PROPOSED STRUCTURES, SET BACK LINES AND ENCROACHMENTS.

**THE FOLLOWING REQUEST IS MADE TO THE BOARD OF ZONING APPEALS FOR:**

☐

**AN APPEAL TO AN INTERPRETATION OF THE ZONING ORDINANCE, ZONING MAP, OR AN APPEAL OF AN ADMINISTRATIVE DECISION.**

Provide narrative statements describing the nature and purpose of the appeal and specifying the action requested of the Board of Zoning Appeals.

☒

**A VARIANCE RELATING TO** 25' Rear Setback for Residential Property

Provide narrative statements demonstrating that the requested variance meets each of the following tests:

1. The property was acquired in good faith.
2. Narrowness, shallowness, topographic conditions, size of the property or shape of the property at the time of the effective date of the Zoning Ordinance or use/development of the property immediately adjacent creates a hardship.
3. The strict application of the terms of the ordinance would effectively prohibit or unreasonably restrict the use of the property.
4. The above described hardship does not result from the actions of the owner(s).
5. The degree of variance requested is the minimum needed to remove the hardship. If not, why is more needed?
6. Granting the variance would not adversely impact adjacent properties.

☐

**A SPECIAL EXCEPTION FOR** \_\_\_\_\_

Provide narrative statements demonstrating that the requested special exception meets each of the following requirements:

1. It is designed, constructed and operated to adequately safeguard the health, safety and welfare of the occupants of the adjoining and surrounding property.
2. It does not unreasonably impair an adequate supply of light and air to adjacent property.
3. It does not increase public danger from fire or otherwise unreasonably restrict public safety.
4. It does not impair the established property values in surrounding areas.

Initials \_\_\_\_\_

BZA # 16-001

I/We, respectfully request that a determination be made by the Board of Zoning Appeals for the above-noted request which is true to the best of my/our knowledge and belief.

William H Carr  
Addie L. Carr  
Signature of Owner(s)

1/8/16

1/8/16

Date

Sworn before me this 8<sup>th</sup> day of January, 2016.

Susan K. West  
Notary

April 30, 2019  
My Commission Expires



Susan K. West  
Commonwealth of Virginia  
Notary Public  
Commission No. 201952  
My Commission Expires 4/30/2019

FOR OFFICE USE ONLY

TAX MAP NUMBER: 524-18-00-001 ZONING: RS-2

DATE OF PUBLIC HEARING: 2/2/16 NOTICES MAILED: 1-12-16  
(SEE ATTACHED SHEET FOR PERSONS NOTIFIED)

DECISION:

THE DECISION OF THE BOARD OF ZONING APPEALS MAY BE APPEALED TO THE CIRCUIT COURT WITHIN 30 DAYS AFTER THE FINAL DECISION OF THE BOARD.

\_\_\_\_\_  
ZONING ADMINISTRATOR  
Rodney S. Rhodes

\_\_\_\_\_  
DATE

March, 2007

[FORMS\BZA APPLICATION FORM]

## **CITY OF WILLIAMSBURG BOARD OF ZONING APPEALS**

### **William H. Carr and Addie L. Carr Application**

**Provide narrative statements demonstrating that the requested variance meets each of the following tests:**

**1. The property was acquired in good faith.**

William H. Carr and Addie L. Carr acquired the subject residence and property on September 7, 1993. The Carrs have continued to improve the property and residence since their acquisition. The residence known as Belle Farm has some historical significance confirmed via books (referenced in Old Virginia Houses, Along the James [highlighted with pictures on Pages 184-186], and Old Virginia Houses, The Mobjack Bay Country [featured on Pages 149-152], each book authored by Emmie Ferguson Farrar. Colonial Williamsburg Foundation archives have documented Belle Farm in Gloucester and the process of CWF moving interior components to Williamsburg. See #4 below.

**2. Narrowness, shallowness, topographic conditions, size of the property or shape of the property at the time of the effective date of the Zoning Ordinance or use/development of the property immediately adjacent creates a hardship.**

The owners have been painstakingly restoring and improving the structure since 1993. The existing kitchen and "master bath" are inadequate and are functionally obsolete. The new addition will correct these problem areas. The size of the new addition is in proportion to and in character with the existing structure and will be suitable for living in 2016 and beyond. A significant part of the addition involves razing the existing porch and rebuilding a conditioned room in its place with a master bath, closet, laundry room and office above on the second floor. Note that the Williamsburg ARB unanimously approved the owners' ARB application on September 22, 2015. See attached.

**3. The strict application of the terms of the ordinance would effectively prohibit or unreasonably restrict the use of the property.**

The owners have engaged/employed Dave Campbell, Campbell Land Surveying, Inc., surveyor; John Hopke, RA, Hopke & Associates, Inc., architect; Tim Mills, PE, TAM Consultants Incorporated, structural engineer; Bob Ripley, Brantley & Ripley Construction, general contractor; and others to assist in planning, engineering, development and construction of the addition to correct the above mentioned functionally obsolete / problem areas. This rigorous and thorough process has been going on since December, 2013 to ensure the best quality renovation / addition possible; with the least environmental and zoning impact possible; while complimenting and preserving the historical nature and aesthetics of the existing structure.

**4. The above described hardship does not result from the actions of the owner(s).**

Colonial Williamsburg Foundation purchased the Belle Farm structure and moved interior components from Gloucester with the intention of rebuilding the structure on Duke of Gloucester Street during the Restoration during the 1930s. However, CWF ultimately decided to store the interior trim work. The original Belle Farm floor boards were installed in Raleigh Tavern. John and Anne Lewis purchased the original interior components of Belle Farm from CWF and built a reproduction of Belle Farm in Indian Springs circa 1952. The current structure was literally built in

the middle of 2, individually platted lots. After the ARB 9/22/15 approval, the present owners had the center lot lines vacated. Now the lot is recorded as Lot 30.

It should be noted that John and Anne Lewis also owned Lot 29 (n/o/b Harland and Anne Schone) and Lot 32 (n/o/b Laura Kostel). Mr. and Mrs. Lewis used these 2 lots as their septic field (Lot 29) and parking area plus accessory buildings to include storage structures and chicken coops (Lot 32).

As such, from an historical basis, the first owners had use of plenty of land to accommodate their needs. With the passage of time and the conveyance of Lots 29 and 32, the original property has become more restricted. An example of this is there are no accessory buildings or covered parking (i.e. garage or storage), and the fact that the front of the existing residence is set back 42'7" from the City easement. Again, reinforcing the historic perspective that Mr. and Mrs. Lewis considered they had plenty of land to work with via Lots 29 and 32.

Finally, corner lots by definition are somewhat problematic in location of structures. Had Lot 32 remained with the original property there would be no need for the variance request.

Note that the applicants are not seeking any variance for the 10 foot side yard setback, and thus Lot 29 is not affected or impacted whatsoever.

**5. The degree of variance requested is the minimum needed to remove the hardship. If not, why is more needed?**

According to Dave Campbell, surveyor, and his Development Plan (enclosed) the total "fouled or encroachment area" is 2.75 square feet. Since steps are not included in the Planning Department's 25' rear setback calculation, the encroachment is .95 foot (11.40 inches) at the corner of the new, proposed addition and continues southerly for 5.86 feet. Note that the encroachment is NOT for the entire length of the southern rear wall. See attached Development Plan by Dave Campbell dated 12/28/15.

The applicants do have the option of redesigning the addition to avoid the need for a variance. The addition could be reduced by approximately one foot. The reduction would significantly impact the kitchen layout with regard to reduced spacing between the counters, stove and island. Proper spacing and appliance location are critical in properly functioning kitchens.

Another option would entail increasing the size of the addition by continuing southerly for approximately 6 additional feet so as to avoid the "fouled or encroachment area" given the benign "flaring" of the property line. This is not a desirable option due to: (a) the detracting of the residence's front curb appeal and original construction (i.e. the addition would jut out too far and big too large; (b) reduction in rear yard patio area; (c) reduction in rear yard green space; and (d) increased impervious surface area.

When viewed through the grand scale prism, this renovation / addition and the ensuing .95 foot (11.40 inches) maximum variance request for a length of 5.86 feet (total of 2.75 square feet) or 3.8% (.95/25) of the 25' rear yard setback requirement is deemed de minimus, particularly when dealing the history and characteristics of the residence.

**6. Granting the variance would not adversely impact adjacent properties.**

The property is a corner lot. Neither adjacent property owner nor other surrounding property owners object to the renovation/addition.

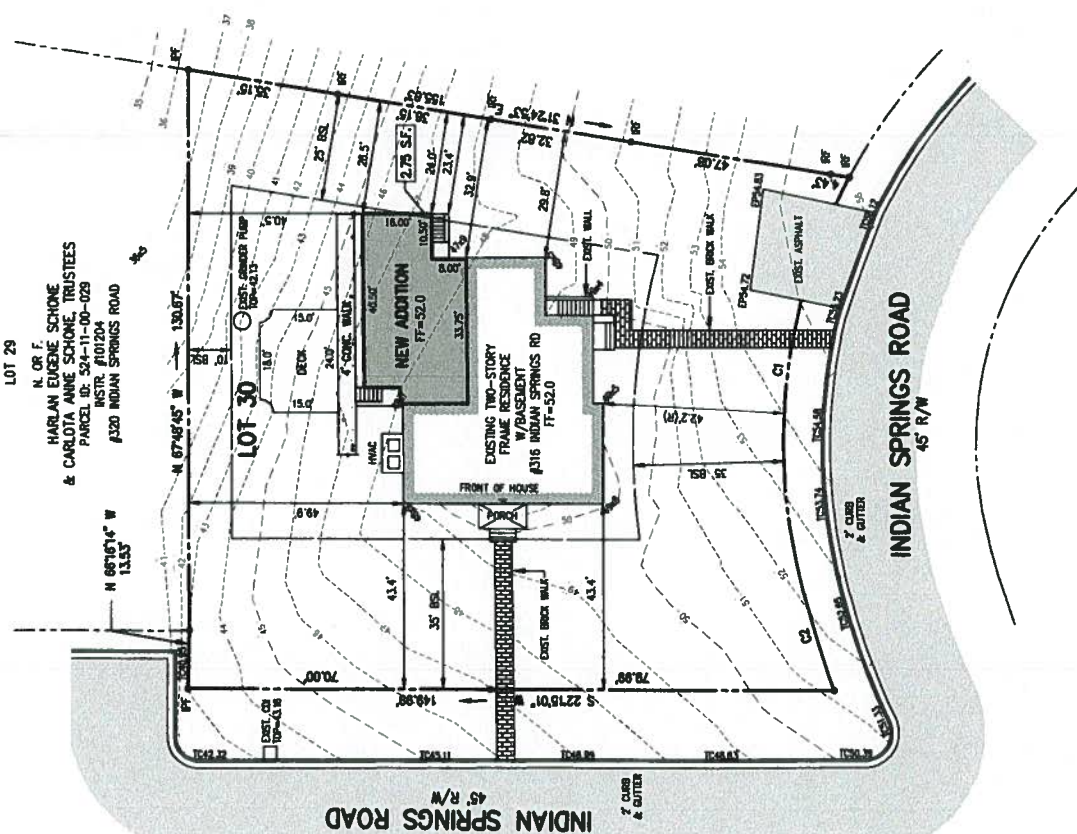
- Harlan and Anne Schone (Lot 29, south of the subject property) do not object to the renovation/addition. See attached letter.
- Lee Kostel (Lot 32, west of the subject property) does not object to the renovation/addition. See attached letter.
- Additionally, none of the surrounding property owners object to the addition. See attached letter.



N. OR F.  
LAURA E. KOSTEL, ET AL  
PARCEL ID: 524-11-00-032  
DB. 88, PG. 519  
4314 INDIAN SPRINGS ROAD

OWNER: WILLIAM H. CARR AND JOSE L. CARR  
318 INDIAN SPRINGS ROAD  
WILLIAMSBURG, VA 23185  
PLAT OF INDIAN SPRINGS SUBDIVISION  
CARR PROPERTY LINE VACATION,  
NEW LOT 30  
PLAT INSTRUMENT No. 152886  
524-18-00-001  
RS-2 (SINGLE FAMILY)  
D.B. 105, PG. 438  
X  
510294-005-B

**LOT AREA = 18,956 S.F.**



CURVE TABLE					
CHORD BEARING	CHORD	TANGENT	ARC	RADIUS	DELTA
S 80°22'18" E	83.20'	49.83'	98.27'	131.53'	41°30'00"
S 84°28'30" E	28.18'	14.11'	28.18'	259.14'	08°54'12"



4316 INDIAN SPRINGS ROAD

## DEVELOPMENT PLAN

**LOT 30**

INDIAN SPRINGS  
WILLIAMSBURG, VIRGINIA

CAMPBELL LAND SURVEYING, INC. P.O. BOX 655 TAYLOR, VA. 22682 (703) 880-0537		SCALE 1"=30'	DATE 12/28/16
DESIGN BY DRAWN BY CHK'D. BY		JOB NO.	SHEET
DPC	DPC	DPC	1 of 1
14-0312		F.R. 432, PG. 82	

314 Indian Springs Road  
Williamsburg, Virginia 23185

January 5, 2016

Mr. Rodney S. Rhodes  
Zoning Administrator  
Williamsburg Planning Department  
City of Williamsburg  
401 Lafayette Street  
Williamsburg, VA 23185

**RE: William H. and Addie L. Carr Renovation and Addition to Residence Located at 316  
Indian Springs Road (Lot 30)**

Dear Mr. Rhodes:

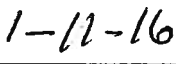
I am an adjacent property owner to 316 Indian Springs Road (Lot 30).

I own and reside at 314 Indian Springs Road (Lot 32).

I have reviewed the Carr renovation and addition plans and have no concerns.

Sincerely,

  
\_\_\_\_\_  
Laura E. Kostel

  
\_\_\_\_\_  
Date

320 Indian Springs Road  
Williamsburg, Virginia 23185

January 5, 2016

Mr. Rodney S. Rhodes  
Zoning Administrator  
Williamsburg Planning Department  
City of Williamsburg  
401 Lafayette Street  
Williamsburg, VA 23185

**RE: William H. and Addie L. Carr Renovation and Addition to Residence Located at 316  
Indian Springs Road (Lot 30)**

Dear Mr. Rhodes:

We are an adjacent property owner to 316 Indian Springs Road (Lot 30).

We own and reside at 320 Indian Springs Road (Lot 29).

We have reviewed the Carr renovation and addition plans and have no concerns.

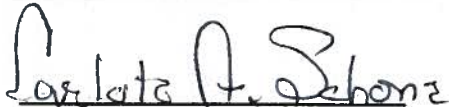
Sincerely,



Harlan E. Schone

1-10-16

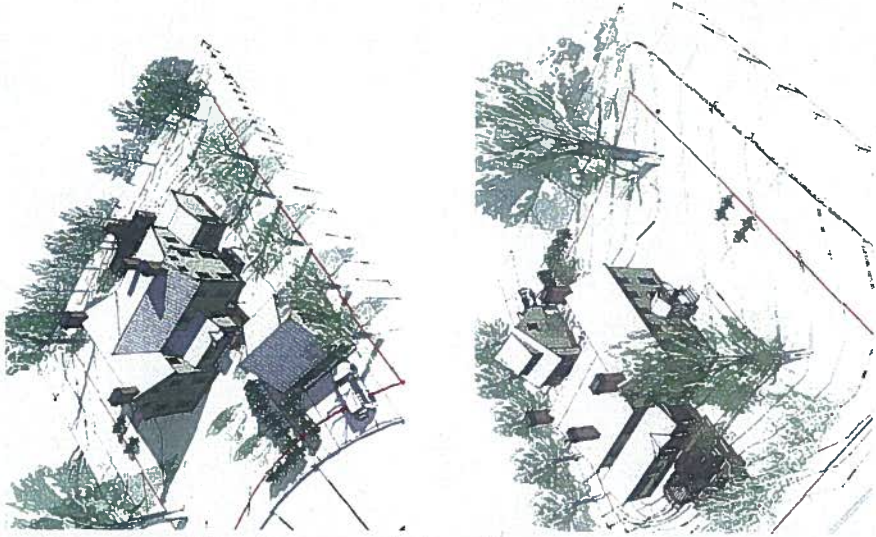
Date



Carlota A. Schone

1/10/2016

Date



**AERIAL PERSPECTIVES**

ARB # 15079

☒ Approved - addition and patio

☐ Denied

Date 9-22-15



H & A 34038

32

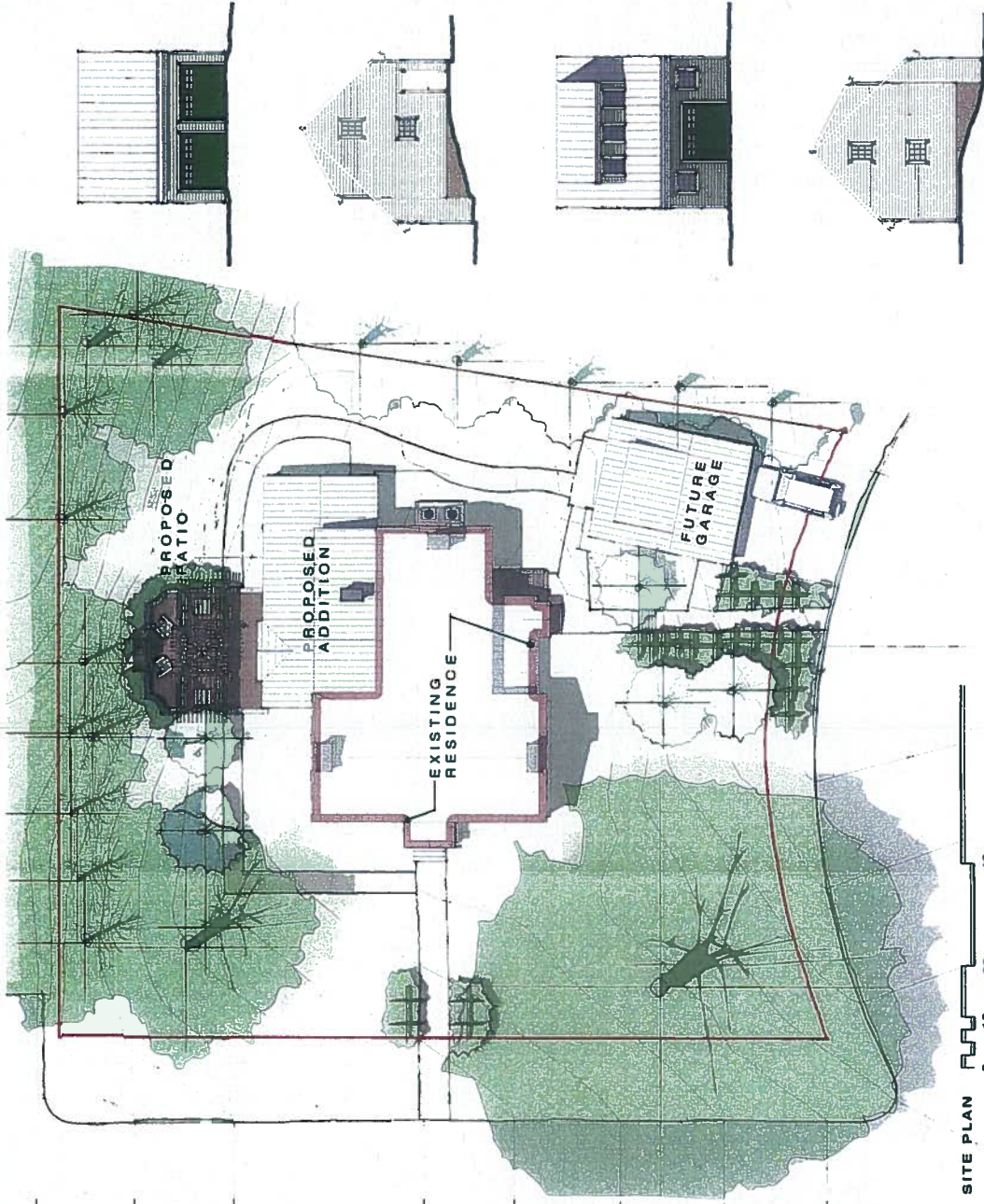


**ADDITIONS AND ALTERATIONS TO THE  
CARR RESIDENCE**

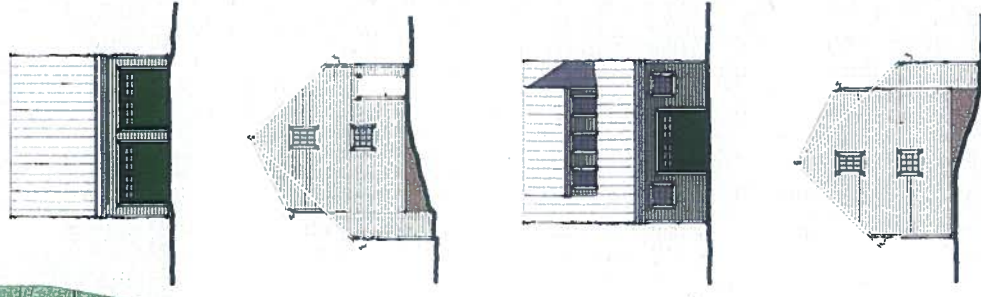
CITY OF WILLIAMSBURG, VA



SITE PLAN

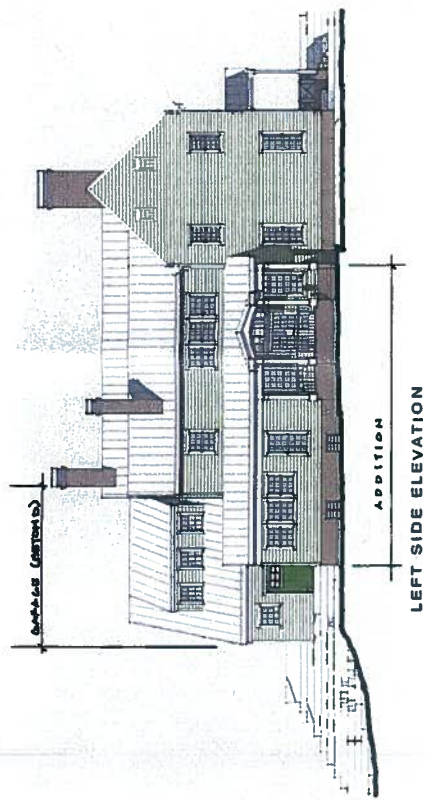


GARAGE ELEVATIONS

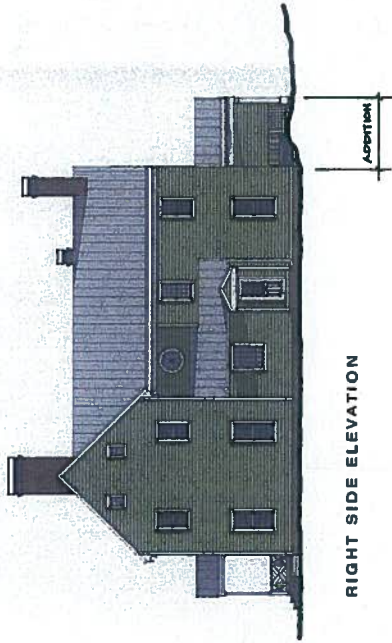


HORNE & ASSOCIATES, INC.  
ARCHITECTS & PLANNERS

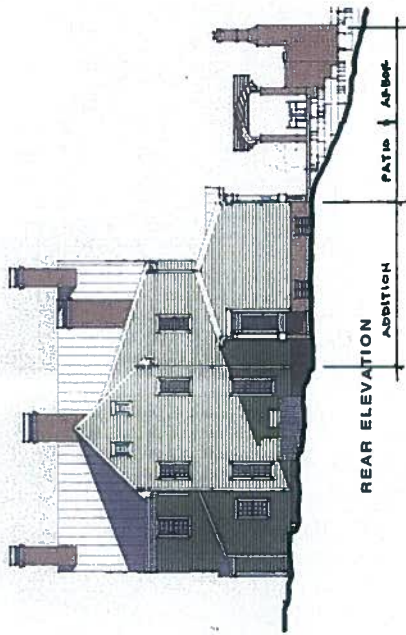
11 SEP 2015



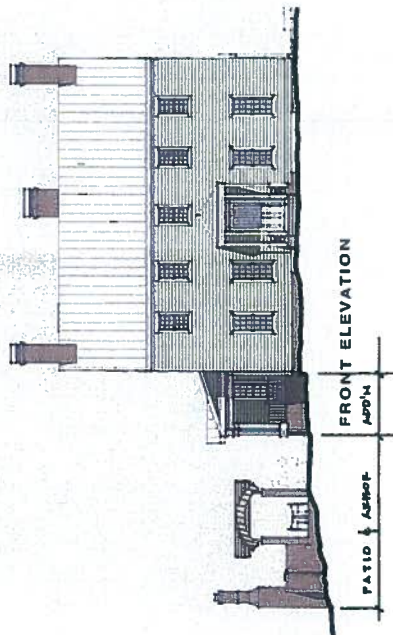
LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION



FRONT ELEVATION



RIGHT ELEVATION  
AT PATIO



LEFT ELEVATION  
AT PATIO

# ADDITIONS AND ALTERATIONS TO THE CARR RESIDENCE

CITY OF WILLIAMSBURG, VA

H & A 34038

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0 8 16

11 SEP 2015

HORNE & ASSOCIATES, INC.  
ARCHITECTS & PLANNERS



# ADDITIONS AND ALTERATIONS TO THE CARR RESIDENCE

**WILLIAMSBURG**  
**ARCHITECTURAL REVIEW BOARD MINUTES**  
**Tuesday, September 22, 2015**

The regular semi-monthly meeting of the Williamsburg Architectural Review Board was held on Tuesday, September 22, 2015 at 6:30 p.m. in the third floor Conference Room at the Municipal Building, 401 Lafayette Street, Williamsburg, Virginia.

**CALL TO ORDER and ATTENDANCE**

Chairman Bob Lane called the meeting to order. Present in addition to Mr. Lane were Board members Messrs. Mark Kostro, Joe Hertzler, Demetrios Florakis, Bryan Smith, and Donald Koehler. Board member David Stemann was absent. Staff members Deputy Planning Director Carolyn Murphy and Secretary Donna Scott were also present.

**Consent Agenda**

**SIGNS**

SIGN#15-029 Williamsburg Art Gallery/440 West Duke of Gloucester Street  
– Freestanding & Building

SIGN#15-030 Diva Status/511 York Street – Monument

SIGN#15-031 Salon Gia/1570-B Quarterpath Road – Building

SIGN#15-032 Blue Dog Farm Corporate Office/905-A Richmond Road – Freestanding

SIGN#15-033 Revibe Redesign & Consign/515 York Street – Freestanding & Building

There being no questions or comments from the Board or the audience, Mr. Lane moved to approve the consent agenda as presented. Mr. Smith seconded the motion which carried by roll call vote of 6-0.

Recorded vote on the motion:

Aye: Hertzler, Lane, Florakis, Smith, Koehler, Kostro

Nay: None

Absent: Stemann

**Regular Agenda**

**ARCHITECTURAL PRESERVATION DISTRICT**

ARB#15-079 Carr/316 Indian Springs Road – Exterior Change (Addition) – Approved

Owners/applicants **Bill and Missy Carr, John Hopke** with Hopke & Associates, and **Bob Ripley** with Brantley & Ripley Construction, were present with plans to construct an addition at the left rear corner of the existing dwelling. The applicants propose to remove an existing screen porch for the addition and create an outdoor patio with trellis and fireplace. The addition will match materials and colors on the existing dwelling to include the brick foundation, cypress siding, wood doors, wood windows, wood trim and rails. A

standing seam metal roof with copper gutters is proposed to match existing roof and gutters on the dwelling. When possible, reuse of eight windows is proposed, and Marvin wood, true-divided-light windows for the remaining windows in the addition will be installed. Mr. Ripley said the cypress siding is being custom made for the project.

The applicant will need to meet the 25-foot rear yard setback for the addition and extinguish interior property lines before a permit can be issued.

Renderings of the proposed addition were reviewed with compliments to Mr. Hopke and Mr. Ripley for the handsome, thoughtful addition. Board members were especially appreciative of the reuse of materials when possible, i.e., windows, standing seam metal roof and brick.

Chair Lane opened the floor for comment. There was no comment from the audience.

Mr. Florakis moved that the Board approve the addition as submitted. Mr. Hertzler seconded the motion which carried by roll call vote of 6-0.

Recorded vote on the motion:

Aye: Hertzler, Lane, Florakis, Smith, Koehler, Kostro  
Nay: None  
Absent: Stemann

### **CONCEPTUAL REVIEW**

**ARB#15-079 Carr/316 Indian Springs Road – Detached Garage**

Owners/applicants **Bill and Missy Carr, John Hopke with Hopke & Associates, and Bob Ripley with Brantley & Ripley Construction**, presented plans to construct a detached, two-story garage with attached storage shed. Approval from the Board of Zoning Appeals will need to be obtained for the garage which is to be located within the 17.5 foot side-yard setback.

Discussion included the following:

- The proposed garage retains the character and does not compete with the house.
- Currently, most storage of yard supplies and equipment is kept under the porch; the porch will be lost with the addition so a storage shed attached to the garage is proposed.
- The doors for the garage were discussed and Mr. Ripley said they will be wooden, carriage doors.
- The second floor of the garage will be used for storage.
- Although he is fine with or without, Mr. Hertzler asked if a dormer had been considered on the front elevation. Mr. Hopke said he hesitates to embellish the garage too much and does not want it to compete with the house, but this might be a good idea.

- The cornice matches the house.

The garage was conceptually reviewed so there was no vote, but consensus of the Board was that a good job has been done.

#### **CORRIDOR PROTECTION DISTRICT**

##### **ARB#15-078 Travel Lodge/834 Capitol Landing Road – Fence**

There being no representative present for the Travel Lodge request, Chair Lane moved on to the next case on the agenda.

#### **SIGNS**

##### **SIGN#15-027 Aldi's/1504 Richmond Road – Monument – Approved**

J.W. Hill, Moore Sign Corporation, returned to the Board after consulting with his client regarding the illumination of the signage.

Mr. Hill stated that his client has decided to have external illumination of the sign and to keep the registered trademarked colors: PMS-1235 C, PMS Warm Red, PMS-287 and PMS-638 with white lettering for *Aldi*.

There was discussion about the lighting fixture which will be mounted on the brick base of the sign and rotate to illuminate the sign. The fixture is LED and snaps into place. Mr. Smith expressed concern with whether the fixture will rotate enough to illuminate the sign or if the rotation will only allow focus above the sign. Mr. Hill assured the Board that the illumination will be of the sign itself.

Chair Lane noted there was no one in the audience to offer comment.

Mr. Koehler moved that the Board approve the modified lighting. Mr. Hertzler seconded the motion which carried by roll call vote of 6-0.

Recorded vote on the motion:

Aye: Hertzler, Lane, Florakis, Smith, Koehler, Kostro  
Nay: None  
Absent: Stemann

#### **Minutes**

Mr. Lane moved to approve the minutes of the September 8, 2015 meeting as submitted. Mr. Smith seconded the motion which carried by roll call vote of 5-0-1.

Recorded vote on the motion:

Aye: Hertzler, Lane, Florakis, Smith, Koehler  
Nay: None  
Abstain: Kostro  
Absent: Stemann

**ARB#15-078 Travel Lodge/834 Capitol Landing Road – Fence – Tabled**

Representation for the request for approval of an after-the-fact construction of a fence was still not present. Mr. Lane moved to table the case. Mr. Hertzler seconded the motion which carried by roll call vote of 6-0.

Recorded vote on the motion:

Aye: Hertzler, Lane, Florakis, Smith, Koehler, Kostro

Nay: None

Absent: Stemann

There being no additional business before the Board, the meeting was adjourned at 7:05 p.m.

Donna Scott  
Secretary